

**REGULAR MEETING OF THE MAYOR AND BOARD OF TRUSTEES OF THE VILLAGE OF IRVINGTON, NEW YORK HELD ON MONDAY JUNE 6, 2005 AT 7:00 P.M. IRVINGTON PUBLIC LIBRARY, 12 ASTOR STREET, IRVINGTON, NEW YORK.**

Present: Dennis P. Flood, Mayor  
Richard J. Livingston, Trustee  
Jonathan A. Siegel, Trustee  
David A. Klassen, Trustee  
Nicola S. Coddington, Trustee  
Donald P. Marra, Village Administrator  
Lawrence S. Schopfer, Clerk-Treasurer  
Edward J. Ritter, Deputy Clerk-Treasurer  
Lino J. Sciarretta, Deputy Village Attorney  
Michael P. Cerone, Police Lieutenant  
Gregory R. Nilsson, Superintendent of Public Works

The meeting was called to order by Deputy Mayor Livingston who led the attendance in the pledge of allegiance to the flag of the United States of America.

Deputy Mayor Livingston announced that the meeting would begin with an informational presentation by Bridge Street Properties on the Bridge Street Waterfront Properties. Attendees received a picture and bullet point outline of the project. Jeff Reich, Peter Gisolfi, Andy Lyons and Bill Thompson offered an oral, as well as a digital presentation on the scope of the project. After the presentation, the floor was opened to questions. Many residents as well as board members participated in the discussion. Copies of the picture and bullet points are attached hereto as a part of these minutes.

Mayor Flood opened the floor to public comment on matters not contained on the agenda of the regular meeting. A question was asked for an update on the legal costs to the Village in regard to the election litigation, Lino Sciarretta, Deputy Village Attorney, responded that billable hours Since April 30, 2005 were \$805.00. Another question was asked as to how long the Village of Irvington would continue to pay legal fees in this matter. Trustee Siegel responded that while the Village has not taken a position in the case, legal counsel would continue. Mayor Flood was asked what his intentions would be after the court decision June 23, 2005. Mayor Flood had no comment at this time.

Trustee Livingston made a motion to adopt the minutes of the regular meeting of the Board of Trustees held May 16, 2005. Trustee Siegel seconded the motion and it was unanimously approved.

Mayor Flood read correspondence from Robert Philipson who would not be able to attend the presentation by Bridge Properties but wanted to remind the board of the principles of the 2003 Comprehensive Plan, George Berger, who tendered his resignation from the Irvington Board of Directors and all other related committees due to having moved from the area and Jill Rembar commenting on executive and public work sessions. A copy of the correspondence is attached hereto as a part of these minutes.

Trustee Siegel made a motion to approve certain summer hirings in the Parks & Recreation Department. A complete list of hirings along with salary rates is attached. Trustee Livingston seconded the motion and it was unanimously approved.

**RESOLUTION 2005-55  
BIDS FOR THE SALE OF A SURPLUS 1995 GMC BLAZER**

Trustee Livingston offered the following resolution, which was seconded by Trustee Klassen and adopted:

**WHEREAS**, sealed bids for the sale of a surplus 1995 GMC Blazer were received and opened on May 25, 2005, now therefore be it

**RESOLVED**, to sell a surplus 1995 GMC Blazer to the high bidder, Wheels Used Cars, for the amount of \$1,268.78.

The vote resulted as follows:

AYES: 5 (Mayor Flood, Trustees Livingston, Siegel, Klassen, Coddington)  
NAYS: NONE

**RESOLUTION 2005-56  
BIDS FOR THE SALE OF A SURPLUS 1996 GMC BLAZER**

Trustee Livingston offered the following resolution, which was seconded by Trustee Klassen and adopted:

**WHEREAS**, sealed bids for the sale of a surplus 1996 GMC Blazer were received and opened on May 25, 2005, now therefore be it

**RESOLVED**, to sell a surplus 1996 GMC Blazer to the high bidder, Andrew Hall, for the amount of \$1,608.

The vote resulted as follows:

AYES: 5
NAYS:

(Mayor Flood, Trustees Livingston, Siegel, Klassen, Coddington)
NONE

**RESOLUTION 2005-57**  
**BIDS FOR THE SALE OF A SURPLUS 1995 FORD BUS**

Trustee Livingston offered the following resolution, which was seconded by Trustee Klassen and adopted:

**WHEREAS**, sealed bids for the sale of a surplus 1995 FORD Bus were received and opened on May 25, 2005, now therefore be it

**RESOLVED**, to sell a surplus 1995 FORD Bus to the high bidder, Steven Carelli, for the amount of \$1,500.

The vote resulted as follows:

AYES: 5
NAYS:

(Mayor Flood, Trustees Livingston, Siegel, Klassen, Coddington)
NONE

**RESOLUTION 2005-58**  
**APPROVAL OF 2004/05 BUDGET TRANSFERS**

Trustee Livingston offered the following resolution, which was seconded by Trustee Klassen and adopted:

**RESOLVED**, to approve the following 2004-05 budget transfers:

**Entry 2005-30**  
Recreation Department

Increase:	Federal Aid CDBG	1-1-4989	\$48,252
Increase:	Equipment	7310-200	\$48,252

(To account for the receipt of Federal CDBG funds and the purchase of a Senior Citizen bus)

The vote resulted as follows:

AYES: 5
NAYS:

(Mayor Flood, Trustees Livingston, Siegel, Klassen, Coddington)
NONE

**RESOLUTION 2005-59**  
**APPROVAL OF CHANGE ORDER #1 FOR CONTRACT 2005-01 (DUCTLESS AIR CONDITIONING SYSTEM FOR VILLAGE HALL)**

Trustee Siegel offered the following resolution, which was seconded by Trustee Livingston and adopted:

**WHEREAS**, contract 2005-01 was awarded by the Board of Trustees on May 2, 2005 to Design Air for the purchase and installation of a ductless air conditioning system for Village Hall in the amount of \$39,550, and

**WHEREAS**, it is necessary to modify the original contract for the additional equipment necessary to complete the project, now therefore be it

**RESOLVED**, to approve Change Order #1 for Contract 2005-01 in the amount of \$6,275 for the purchase and installation of a ductless air conditioning system in certain portions of the Police Department, and

**FURTHER RESOLVED**, to authorize the Building Inspector to execute said change order.

The vote resulted as follows:

AYES: 5           (Mayor Flood, Trustees Livingston, Siegel, Klassen, Coddington)  
NAYS:           NONE

**RESOLUTION 2005-60**

**APPROVAL OF A LEASE AGREEMENT WITH HUDSON HOUSE TENANTS CORPORATION FOR PARKING SPACES ADJACENT TO THE ARDSLEY-ON-HUDSON TRAIN STATION**

Trustee Livingston offered the following resolution, which was seconded by Trustee Klassen and adopted:

**WHEREAS**, the Village of Irvington owns and operates a commuter parking lot adjacent to the Ardsley-on-Hudson train station, and

**WHEREAS**, the Village of Irvington desires to use 10 spaces owned by the Hudson House Tenants Corporation as additional commuter parking for its residents, now therefore be it

**RESOLVED**, to approve a lease agreement with Hudson House Tenants Corporation for parking spaces adjacent to the Ardsley-on-Hudson train station, and

**FURTHER RESOLVED**, to authorize the Village Administrator to execute said lease.

The vote resulted as follows:

AYES: 5           (Mayor Flood, Trustees Livingston, Siegel, Klassen, Coddington)  
NAYS:           NONE

**RESOLUTION 2005-61**

**APPROVAL OF A PROPOSAL TO CONDUCT ADDITIONAL SUBSURFACE INVESTIGATION WORK AT THE DEPARTMENT OF PUBLIC WORKS YARD RELATING TO NYSDEC SPILL #0209887**

Trustee Klassen offered the following resolution, which was seconded by Trustee Livingston and adopted:

**RESOLVED**, to approve a proposal from Ecosystems Strategies, Inc. for an amount not to exceed \$8,300 for additional subsurface investigation work at the Department of Public Works yard relating to NYSDEC Spill #0209887, and

**FURTHER RESOLVED**, to authorize the Clerk-Treasurer to execute said proposal.

The vote resulted as follows:

AYES: 5           (Mayor Flood, Trustees Livingston, Siegel, Klassen, Coddington)  
NAYS:           NONE

**RESOLUTION 2005-62**

**APPROVAL OF A SPECIAL WASTE DISPOSAL AGREEMENT WITH WHEELABRATOR WESTCHESTER, L.P.**

Trustee Siegel offered the following resolution, which was seconded by Trustee Livingston and adopted:

**RESOLVED**, to approve a special waste disposal agreement with Wheelabrator Westchester, L.P., and

**FURTHER RESOLVED**, to authorize the Village Administrator to execute said proposal.

The vote resulted as follows:

AYES: 5           (Mayor Flood, Trustees Livingston, Siegel, Klassen, Coddington)  
NAYS:           NONE

**RESOLUTION 2005-63**

**APPROVAL OF AN INTERMUNICIPAL AGREEMENT WITH WESTCHESTER COUNTY FOR PRISONER TRANSPORTATION**

Trustee Livingston offered the following resolution, which was seconded by Trustee Klassen and adopted:

**RESOLVED**, to approve an intermunicipal agreement with Westchester County for prisoner transportation, and

**FURTHER RESOLVED**, to authorize the Village Administrator to execute said lease.

The vote resulted as follows:

AYES: 5           (Mayor Flood, Trustees Livingston, Siegel, Klassen, Coddington)  
NAYS:           NONE

**RESOLUTION 2005-64**

**AUTHORIZATION TO EXPRESS SUPPORT FOR THE PACE UNIVERSITY SCHOOL OF LAW LOCAL LAND USE LEADERS TRAINING PROGRAM**

Trustee Klassen offered the following resolution, which was seconded by Trustee Coddington and adopted:

**WHEREAS**, comprehensive planning, land use regulation and the review and approval of land development proposals are among the most important functions of local governments in the State of New York;

**WHEREAS**, members of local administrative boards such as the planning board, zoning board of appeals, and conservation advisory boards consider and dispose of many important applications for permits, variances and interpretations of local land use regulations;

**WHEREAS**, local legislative bodies are authorized to use their delegated authority under state law to adopt a wide variety of land use regulations, controls and incentives to provide for the balanced and harmonious development of the community;

**WHEREAS**, land owners, developers, and leaders of local civic organizations are regularly involved in testifying regarding matters pending before these legislative and administrative bodies;

**WHEREAS**, knowledge of the authority of local governments regarding these matters is important to the quality of life and future success of the communities; and

**WHEREAS**, the Land Use Law Center of Pace University School of Law has established an exemplary program of training and supporting local officials, private sector representatives and civic leaders in land use decision-making; now therefore be it

**RESOLVED**, that the Village of Irvington supports the continuation and expansion of the local land use leaders training programs of the Land Use Center, and

**FURTHER RESOLVED**, that the Village of Irvington offers its official sponsorship of the training sessions conducted under the Center's programs, and

**FURTHER RESOLVED**, that the Village of Irvington encourages other cities, towns and villages in the Hudson Valley Region to offer their support and sponsorship of these land use training programs and to nominate local leaders for participation in these programs.

The vote resulted as follows:

AYES: 5           (Mayor Flood, Trustees Livingston, Siegel, Klassen, Coddington)  
NAYS:           NONE

**RESOLUTION 2005-65**

**REQUEST FOR THE ISSUANCE OF A PEDDLER'S PERMIT FOR THEOTOKATOS GERASIMOS**

Trustee Livingston offered the following resolution, which was seconded by Trustee Siegel and adopted:

**WHEREAS**, Theotokatos Gerasimos has applied to the Village Board of the Village of Irvington for a peddler's permit to sell ice cream within the Village in accordance with Chapter 155 of the Village Code, now therefore be it

**RESOLVED**, to authorize the Village Clerk to issue a peddler's permit to Mr. Gerasimos for an annual fee of \$100.

The vote resulted as follows:

AYES:	5	(Mayor Flood, Trustees Livingston, Siegel, Klassen, Coddington)
NAYS:	NONE	

Trustee Coddington reported on the activities of the Highway department who repaired, rebuilt, cleaned & jetted the entire existing drainage system on Fargo Lane up to, but not including outflow. They repaired drainage on Riverview Road by Abbott House driveway, replaced drainage across Washington Avenue at Langdon Avenue, They are trimming Village trees and cutting grass, assisted the Water Dept. with reading meters, repaired & rebuilt 2 catch basins. The Department continues to assist the Village Clerk/Treasurer, Building Inspector, Police Department and Court Clerk with Town Hall renovations by moving furniture & files, delivering material and disposal of demolition & construction debris and continue the raking out & picking up leaves.

Trustee Coddington reported that the Theater lost between thirty and forty attendees over the past weekend due to the heat as well as the discomfort of the performers. The Theater will be using fans for future events. The cleaning service has not complied with the schedule for the Theater. Theater scheduling and Village events should be coordinated so as not to conflict.

Trustee Klassen reported on the activities of the recreation department; the annual Youth Baseball/Softball Picnic is scheduled for Tuesday Night June 21st at 5:30pm at Matthiessen Park. All 600 players and coaches will receive awards. Special thanks to the I. Police Department for their assistance with the School District/ IEF Run/Walk held on Sunday June 1st. The Event was a great success and the Police/DPW and Parks Staff did a great job keeping all participants safe on Broadway during the event. . Teenscape Summer Camp is filled with (45) 7th and 8th graders and opens the Summer Season on Monday June 27th. This years Highlight is a 2-night sleepover to Philadelphia for a Phillies Game and than a night at Hershey Park in Hershey Penn. Day Camp has approximately 200 campers and is still taking sign-ups. Day camp Opens on Wednesday June 29th at Dows Lane School. Ten High School students will be part of "Ray's Excellent Adventure II" this summer. This 7-day trip will include stops in Baltimore Maryland for an Orioles game, visits to our Nations Capital and many of its landmarks. Then they will be off to Virginia to visit King's Dominion and Bush Gardens Amusement Park. They will end their trip with a visit to Philadelphia and a Phillies game and end at Six Flags Great Adventure before returning to Irvington. Ray Cavallo will lead this fantastic trip for 9th through 11th grade students. Program registration for youth tackle and flag football and summer and fall Cheerleading programs started today and will continue until programs are filled. Residents are urged to get their 2005 Park passes. Proof of residency is required. Permits are available Monday through Friday from 9 to 5pm and until 7pm on Wednesday Nights.

Trustee Siegel reported that there would be a meeting of the Tiffany Room Committee on Wednesday, June 8, 2005 in the Tiffany Room.

Trustee Livingston reported that Fire Department has been experiencing a slow time; they have had their bell refurbished in preparation of their anniversary celebration. He thanked the Fire Department for their participation on Memorial Day and reported that forty members responded in two minutes to a fire call on Osceola Avenue, May 26, 2005. Trustee Livingston announced a seniors meeting on Tuesday, June 7, 2005; the ARB reviewed eight cases, five were approved, two were disapproved and one case withdrew.

Village Administrator Donald Marra thanked the Public Works, Police and Recreation Departments for their efforts at the IEF Walk/Run event on Sunday June 5, 2005. Their coordinated efforts produce a great event.

There being no further business, the meeting was adjourned.

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Edward J. Ritter, Deputy Clerk-Treasurer